

authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively suspends the applicability of certain Federal regulations in favor of Tennessee's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 271

Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice is issued under the authority of Sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended (42 U.S.C. 6912(a), 6926, 6974(b)).

Dated: August 10, 1995.

Patrick M. Tobin,

Acting Regional Administrator.

[FR Doc. 95-20764 Filed 8-23-95; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 93-100; RM-8175]

Radio Broadcasting Services; Cleveland and Ebenezer, MS

AGENCY: Federal Communications Commission.

ACTION: Final rule; petition for reconsideration.

SUMMARY: The Commission denies the petition filed by Afro-American Broadcasters of Mississippi for reconsideration of the *Report and Order* in MM Docket No. 93-100, 58 FR 65673, December 16, 1993, which modified the license of Station WCLD(FM), Cleveland, Mississippi, to operate on Channel 280C3 in lieu of Channel 280A and deleted vacant Channel 280A at Ebenezer, Mississippi. The Commission determined that the deletion of the vacant allotment at Ebenezer was within the scope of this proceeding and was warranted because Ebenezer does not qualify as a community for allotment purposes.

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Douglas W. Webbink,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-20952 Filed 8-23-95; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-45; RM-8605]

Radio Broadcasting Services; Pahrump, NV

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Gregory P. Wells, allots Channel 236A to Pahrump, NV, as the community's second local FM service. See 60 FR 19561, April 19, 1995. Channel 236A can be allotted to Pahrump with a site restriction of 4.1 kilometers (2.5 miles) west, at coordinates 36-13-12 North Latitude; 16-01-43 West Longitude, to avoid a short-spacing to Station KWNH, Channel 238C, Henderson, NV. With this action, this proceeding is terminated.

DATES: Effective October 2, 1995. The window period for filing applications will open on October 2, 1995, and close on November 2, 1995.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-45, adopted August 8, 1995, and released August 18, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Nevada, is amended by adding Channel 236A at Pahrump.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-21009 Filed 8-23-95; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 90-647; RM-7180]

Radio Broadcasting Services; Ladysmith and Hallie, WI

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document reallocates Channel 279C1 from Ladysmith, Wisconsin, to Hallie, Wisconsin, and modifies the license for Station WWBI to specify Hallie as its community of license in response to a petition filed by Stewards of Sound, Inc. See 56 FR 1509, January 15, 1991. The coordinates for Channel 279C1 at Hallie are 45-06-35 and 91-09-43. With this action, this proceeding is terminated.

EFFECTIVE DATE: October 5, 1995.

FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order*, MM Docket No. 90-647, adopted August 11, 1995, and released August 21, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Wisconsin, is amended by removing Ladysmith, Channel 279C1 and adding Hallie, Channel 279C1.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-21008 Filed 8-23-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 10

[Docket No. 48438; Amdt. 10-2]

RIN 2105-AC05

Privacy Act; Implementation

AGENCY: Department of Transportation (DOT), Office of the Secretary.

ACTION: Final rule.

SUMMARY: DOT amends its rules implementing the Privacy Act of 1974 to add to the list of systems of records exempt from certain provisions of the Act the Coast Guard's Joint Maritime Information Element Support System.

DATES: This amendment takes effect September 25, 1995.

FOR FURTHER INFORMATION CONTACT: Robert I. Ross, Office of the General Counsel, C-10, Department of Transportation, Washington, DC 20590, telephone (202) 366-9154, FAX (202) 366-9170.

SUPPLEMENTARY INFORMATION: Public comment was invited on this proposal (May 26, 1995, 60 FR 27946); none was received.

1. What is JMIE? The Joint Maritime Information Element (JMIE) Support System is a multi-agency database of vessel movements around the world that can assist in virtually any maritime support mission, including petroleum traffic movement, sea and defense zone surveillance, fisheries operations, and emergency sealift management, as well as prevention of illegal technology transfer, general cargo/commodity smuggling, and illegal immigration. DOT's Coast Guard is one of the participating agencies and the agency that has been selected by the others as the Executive Agent to manage the database. All participating agencies will have access to data in the system.

Each record in the database will consist of two parts. The first will cover the vessel; every participating agency will have access to that; it will refer to a second record about the individuals (e.g., owner, master, crew) associated with the vessel. Only the law enforcement agencies will be able to access that second record. This part of each record comes within the Privacy Act, although the entire record does not. The computer that houses the database has been programmed to grant access only to the Law Enforcement agencies that are members of JMIE.

2. What agencies are members of JMIE? The following are the members of JMIE; each is designated below by whether it is a law enforcement agency (L), member of the intelligence community (I), or other (O), only those designated '(L)' having direct access to Privacy Act information:

1. Office of National Drug Control Policy—Executive Office of the President (I)
2. Bureau of International Narcotics Matters—Department of State (I)
3. Customs Service—Department of the Treasury (L)
4. Office of Naval Intelligence—Department of Defense (I)
5. Military Sealift Command—Department of Defense (O)
6. Defense Intelligence Agency—Department of Defense (I)
7. National Security Agency—Department of Defense (I)
8. Drug Enforcement Administration—Department of Justice (L)
9. Immigration and Naturalization Service—Department of Justice (L)
10. US National Central Bureau—INTERPOL—Department of Justice (O)
11. Bureau of the Census—Department of Commerce (O)
12. Coast Guard—Department of Transportation (L)
13. Maritime Administration—Department of Transportation (O)
14. Office of Intelligence and Port Security—Department of Energy (I)
15. Central Intelligence Agency (I)

The only members of JMIE that will have direct access to the Privacy Act information that will be maintained as part of JMIE are the following, all of which are criminal law enforcement agencies; shown with each is its principal criminal law enforcement authority:

- (1) Customs Service—19 USC 1589a.¹

¹ Enforcement authority of Customs officers. Subject to the direction of the Secretary of the Treasury, an officer of the customs may—

- (1) carry a firearm;

(2) Immigration and Naturalization Service—8 USC 1324.²

(3) Drug Enforcement

Administration—21 USC 878.³

(4) Coast Guard—14 USC 89.⁴

1. *General exemption.* Under Subsection (j)(2) of the Privacy Act (5 USC 552a(j)(2)), a system of records may be exempted from almost all provisions of the Act, so long as the system: (1) Is maintained by an agency, or a component of an agency, that performs as its principal function any activity pertaining to the enforcement of criminal laws; and (2) contains: (A) Information compiled for the purpose of identifying individual criminal

(2) execute and serve any order, warrant, subpoena, summons, or other process issued under the authority of the United States;

(3) make an arrest without a warrant for any offense against the United States committed in the officer's presence or for a felony, cognizable under the laws of the United States committed outside the officer's presence if the officer has reasonable grounds to believe that the person to be arrested has committed or is committing a felony; and

(4) perform any other law enforcement duty that the Secretary of the Treasury may designate.

² Bringing in and harboring certain aliens.

* * * * *

(c) *Authority to arrest.* No officer or person shall have authority to make any arrest for a violation of any provision of this section except officers and employees of the [Immigration and Naturalization] Service designated by the Attorney General, either individually or as a member of a class, and all other officers whose duty it is to enforce criminal laws.

³ Powers of enforcement personnel.

(a) *Officers or employees of the Drug Enforcement Administration or any State or local law enforcement officer.*

Any officer or employee of the Drug Enforcement Administration or any State or local law enforcement officer designated by the Attorney General may—

(1) carry firearms;

(2) execute and serve search warrants, arrest warrants, administrative inspection warrants, subpoenas, and summonses issued under the authority of the United States;

(3) make arrests without warrant (A) for any offense against the United States committed in his presence, or (B) for any felony, cognizable under the laws of the United States, if he has probable cause to believe that the person to be arrested has committed or is committing a felony;

(4) make seizures of property pursuant to the provisions of this subchapter; and

(5) perform such other law enforcement duties as the Attorney General may designate.

* * * * *

⁴ Law enforcement.

(a) The Coast Guard may make inquiries, examinations, inspections, searches, seizures, and arrests upon the high seas and waters over which the United States has jurisdiction, for the prevention, detection, and suppression of violations of laws of the United States * * *. When * * * it appears that a breach of the laws of the United States rendering a person liable to arrest is being, or has been committed, by any person, such person shall be arrested or, if escaping to shore, shall be immediately pursued and arrested on shore, or other lawful and appropriate action shall be taken * * *.

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